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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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08/711,339 05/06/96

BINGGELI

A 4019/135

EXAMINER

HM12/0308

GEORGE W. JOHNSTON
HOFFMANN-LA ROCHE INC
340 KINGSLAND STREET
NUTLEY NJ 07110-1199

EXAMINER: P
ART UNIT: PAPER NUMBER

1613

DATE MAILED: 03/08/99

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

Responsive to communication(s) filed on 12-28-98

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-137 is/are pending in the application.

Of the above claim(s) (1-17, 20, 30, 33, 35-39, 42-45, 47, 63-72, 74, 77, 87-90, 94-95), is/are withdrawn from consideration.

Claim(s) 44, 48-61, 73, 75, 76-9-20, 91-136 is/are allowed.

Claim(s) is/are rejected.

Claim(s) is/are objected to.

Claim(s) are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(e).

All Some* None of the CERTIFIED copies of the priority documents have been

received.
 received in Application No. (Series Code/Serial Number) _____
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

RESPONSE DUE: May 8, 1999 S/S/P

STATUTORY (340s) PERIOD EXPIRES: August 8, 1999

*Certified copies not received: _____

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of Reference Cited, PTO-892
 Information Disclosure Statement(s), PTO-1449, Paper No(s) RECEIVED
 Interview Summary, PTO-413
 Notice of Draftsperson's Patent Drawing Review, PTO-948
 Notice of Informal Patent Application, PTO-152

Copy Sent to SEE OFFICE ACTION ON THE FOLLOWING PAGES
Department PLP

MAR 10 1999

Art Unit: 1617

This application is in condition for allowance except for the following formal matters:

The presence of non elected subject matter in the claims.

The Office action dated September 25, 1998 indicates the elected and non elected subject matter of the claims (See page 2 of the Office action). As applicant has petitioned the restriction requirement with the petition being denied, applicant should limit the claims to the subject matter indicated as being examined. Failure to limit the claims to the elected subject matter may result in the ^{abandonement} ~~document~~ of this application.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication should be directed to Examiner R. W. Ramsuer at telephone number (703) 308-4534.

RAMSUER:tcj
March 4, 1999

Robert W. Ramsuer
Robert W. Ramsuer
Art Unit 1613